

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gusler et al.

Serial No.: 09/439,054

Filed: November 12, 1999

For: Enhanced Backup and Recovery  
Methodology§  
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§  
§

Group Art Unit: 2177

Examiner: Le, Debbie M.

Attorney Docket No.: AT9-99-234

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on September 30, 2004.

By:

Dell Whitton

NOTICE OF APPEALCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated July 30, 2004 finally rejecting claims 1, 4-17 and 20-38.

A fee of \$330.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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